

Message Text

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ACTION EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 TRSE-00 EUR-12

ERDA-05 ISO-00 MC-02 ACDA-05 L-02 EA-06 /040 W

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R 141406Z MAR 75

FM USMISSION OECD PARIS

TO SECSTATE WASH DC 5974

C O N F I D E N T I A L SECTION 01 OF 02 OECD PARIS 06587

EXCON

E.O. 11652: XGDS1

TAGS: ESTC, COCOM

SUBJECT: COCOM LIST REVIEW - IL 1668 - TUNGSTEN

REFS: A. COCOM DOC REV (74) 1668/1 AND 2

B. STATE 45799

SUMMARY: IN DISCUSSION ON MARCH 10, THE US AGREEMENT TO DELETE TUNGSTEN FROM THE INTERNATIONAL LIST (IL) ON CONDITION THAT ITS CONTENTS BE TRANSFERRED TO THE INTERNATIONAL MUNITIONS LIST (IML) ENCOUNTERED RESERVES FROM THREE DELEGATIONS WHICH AT FIRST READING HAD FOUND THE TERMS PROPOSED BY THE US TO BE UNCLEAR. THE US AGREED TO REQUEST REVISED INSTRUCTIONS IN THE LIGHT OF THE DISCUSSIONS. ON MARCH 12, THE NETHERLANDS DEL FILED A FORMAL REQUEST THAT THE US DROP THE PART OF ITS COUNTERPROPOSAL CONCERNING CHANGES IN THE IML BECAUSE IF ADOPTED THEY COULD CAUSE CONFUSION AS WELL AS WEAKEN THE IML. ON MARCH 13 ALL OTHER DELS FORMALLY SUPPORTED THE DUTCH STATEMENT AND THE US WITHDREW ITS CONDITION THAT THE IML BE AMENDED IN ORDER TO AVOID LOSS OF COVERAGE. THE ITEM WAS THEREBY CONCLUDED WITH UNANIMOUS FORMAL RECOGNITION THAT THE CONTENTS OF IL 1668 WERE ALREADY COVERED BY THE IML. END SUMMARY.

1. THE US COUNTERPROPOSAL CONTAINED IN REF A/2 WHICH
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CONDITIONS AGREEMENT TO THE DELETION OF IL 1668 FROM THE

IL ON TRANSFER OF ITS COVERAGE TO THE IML WAS ACCEPTABLE TO ITALY, JAPAN, CANADA AND THE UK, BUT ENCOUNTERED RESERVES FROM THE NETHERLANDS, FRANCE AND GERMANY WHO REQUESTED REVISED WORDING FOR CLARITY. NEVERTHELESS, ALL THREE OF THE RESERVING DELEGATIONS EXPRESSED APPROVAL IN PRINCIPLE OF THE US PROPOSAL.

2. THE USDEL EXPLAINED THAT THE PRESS-SINTERED FORMS OF TUNGSTEN TO BE PLACED ON THE IML ARE IDENTIFIABLE BY THEIR SHAPES AS ITEMS FOR MILITARY/STRATEGIC USE. HOWEVER, THE NETHERLANDS DEL WAS NOT SATISFIED THAT THE TUNGSTEN SHAPES WOULD BE SUFFICIENTLY DESCRIBED BY THE WORDING PROPOSED BY THE US FOR NEW SUBITEM (E) TO IML 16. HE SUGGESTED, "SPECIAL PRESS-SINTERED OGIVE SHAPES OF TUNGSTEN FOR USE IN ARMOR PIERCING PROJECTILES." FRANCE NOTED THAT THERE ARE MANY POSSIBILITIES AND, AS A COMPROMISE, SUGGESTED THAT THE ITEM BE SIMPLY TRANSFERRED AS IT WAS TO THE IML. THE NETHERLANDS DEL PREFERRED A DESCRIPTION OF SHAPES IN THE IML. THE GERMAN DEL ALLIED HIMSELF WITH THE NETHERLANDS AND FRANCE IN DESIRING GREATER PRECISION. THE USDEL AGREED TO REEXAMINE ITS PROPOSAL IN THE LIGHT OF COMMENTS BY RESERVING MEMBERS.

3. TWO DAYS LATER THE NETHERLANDS DEL SUBMITTED THE FOLLOWING STATEMENT (ABBREVIATED) ON WHICH HE ASKED FOR OTHER GOVERNMENT VIEWS ON MARCH 13: "AS TO THE SECOND PART (PART ONE BEING DELETION OF IL 1668) OF THE US

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COUNTER-PROPOSAL TO MENTION TUNGSTEN IN THE ML, THEY BELIEVE THAT NOT TO BE NECESSARY AND EVEN CONFUSING. THE NETHERLANDS DEL ARE OF THE OPINION THAT THE COMPONENTS AND PARTS WHICH THE USDEL HAVE IN MIND, ARE ALREADY COVERED BY THE ML AND (BEGIN UNDERLINE) NOT ONLY THOSE MADE FROM TUNGSTEN, BUT ALSO THOSE MADE FROM ANY OTHER MATERIAL (END UNDERLINE). TO MENTION A CERTAIN METAL IN THE ML MIGHT EVEN SUGGEST THAT OTHER METALS OR MATERIALS MAY NOT BE INVOLVED AND THUS WEAKEN THE ML. IT IS THEREFORE THAT THE NETHERLANDS RECOMMEND THE US DROP THE SECOND PART OF THEIR COUNTERPROPOSAL.'

4. ON MARCH 13, ALL NATIONS PRESENT ENDORSED THE VIEW OF THE NETHERLANDS ON THE RECORD, AND THE USDEL, RECOGNIZING THAT ANY ATTEMPT TO REFUTE THE COMMITTEE'S FORMAL INTERPRETATION WOULD RESULT IN LOSS OF IML COVERAGE, ACCEPTED THE DELETION OF 1668.

5. ANALYSIS: AS NETHERLANDS DEL BELATEDLY REALIZED WHILE RECONSTRUCTING HIS NOTES, IML 3 HAS PROPERLY COVERED ANY ARMOR PIERCING PROJECTILE ELEMENTS REGARDLESS OF MATERIAL. IML 4 AND 10 HAVE COVERED ANY OTHER TUNGSTEN PARTS WHETHER CRUDE OR SEMIFABRICATED. LISTING IN IML-16 WOULD HAVE CREATED DOUBTS ABOUT COVERAGE ELSEWHERE. ANY ARGUMENT RAISED CONCERNING DESIRE TO PROTECT "TECHNOLOGY" IS NOT COGENT IN THE FIELD OF CONFIDENTIAL

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TUNGSTEN POWDER METALLURGY BECAUSE OF THE FACT THAT IT IS PUBLISHED AND THEREFORE IN THE PUBLIC DOMAIN, THE EQUIPMENT USED IS NOT NECESSARILY EMBARGOED, AND ITS SUCCESSFUL MANUFACTURE IS BASED ON SPECIALIZED TECHNIQUE AND EXPERIENCE WHICH ARE NOT READILY TRANSFERRABLE. TURNER

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